



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5542

by Rep. Norine K. Hammond

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.26

from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that during the pilot program that creates the special 3-day, youth-only firearm deer hunting season, one day of the 3 days shall be reserved for children with disabilities. Provides that the one day youth-only firearm deer hunting season reserved for children with disabilities shall apply to all counties located in the State. Provides that all provisions of the pilot program are inoperative on and after January 1, 2023. Effective June 1, 2020.

LRB101 17753 CMG 69857 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning wildlife.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Wildlife Code is amended by changing Section
5 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 (Text of Section before amendment by P.A. 101-444)

8 Sec. 2.26. Deer hunting permits. Any person attempting to
9 take deer shall first obtain a "Deer Hunting Permit" issued by
10 the Department in accordance with its administrative rules.
11 Those rules must provide for the issuance of the following
12 types of resident deer archery permits: (i) a combination
13 permit, consisting of one either-sex permit and one
14 antlerless-only permit, (ii) a single antlerless-only permit,
15 and (iii) a single either-sex permit. The fee for a Deer
16 Hunting Permit to take deer with either bow and arrow or gun
17 shall not exceed \$25.00 for residents of the State. The
18 Department may by administrative rule provide for non-resident
19 deer hunting permits for which the fee will not exceed \$300 in
20 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
21 provided below for non-resident landowners and non-resident
22 archery hunters. The Department may by administrative rule
23 provide for a non-resident archery deer permit consisting of

1 not more than 2 harvest tags at a total cost not to exceed \$325
2 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
3 fees for a youth resident and non-resident archery deer permit
4 shall be the same.

5 The standards and specifications for use of guns and bow
6 and arrow for deer hunting shall be established by
7 administrative rule.

8 No person may have in his or her possession any firearm not
9 authorized by administrative rule for a specific hunting season
10 when taking deer.

11 Persons having a firearm deer hunting permit shall be
12 permitted to take deer only during the period from 1/2 hour
13 before sunrise to 1/2 hour after sunset, and only during those
14 days for which an open season is established for the taking of
15 deer by use of shotgun, handgun, or muzzle loading rifle.

16 Persons having an archery deer hunting permit shall be
17 permitted to take deer only during the period from 1/2 hour
18 before sunrise to 1/2 hour after sunset, and only during those
19 days for which an open season is established for the taking of
20 deer by use of bow and arrow.

21 It shall be unlawful for any person to take deer by use of
22 dogs, horses, automobiles, aircraft or other vehicles, or by
23 the use or aid of bait or baiting of any kind. For the purposes
24 of this Section, "bait" means any material, whether liquid or
25 solid, including food, salt, minerals, and other products,
26 except pure water, that can be ingested, placed, or scattered

1 in such a manner as to attract or lure white-tailed deer.
2 "Baiting" means the placement or scattering of bait to attract
3 deer. An area is considered as baited during the presence of
4 and for 10 consecutive days following the removal of bait.
5 Nothing in this Section shall prohibit the use of a dog to
6 track wounded deer. Any person using a dog for tracking wounded
7 deer must maintain physical control of the dog at all times by
8 means of a maximum 50 foot lead attached to the dog's collar or
9 harness. Tracking wounded deer is permissible at night, but at
10 no time outside of legal deer hunting hours or seasons shall
11 any person handling or accompanying a dog being used for
12 tracking wounded deer be in possession of any firearm or
13 archery device. Persons tracking wounded deer with a dog during
14 the firearm deer seasons shall wear blaze orange or solid blaze
15 pink color as required. Dog handlers tracking wounded deer with
16 a dog are exempt from hunting license and deer permit
17 requirements so long as they are accompanied by the licensed
18 deer hunter who wounded the deer.

19 It shall be unlawful to possess or transport any wild deer
20 which has been injured or killed in any manner upon a public
21 highway or public right-of-way of this State unless exempted by
22 administrative rule.

23 Persons hunting deer must have gun unloaded and no bow and
24 arrow device shall be carried with the arrow in the nocked
25 position during hours when deer hunting is unlawful.

26 It shall be unlawful for any person, having taken the legal

1 limit of deer by gun, to further participate with gun in any
2 deer hunting party.

3 It shall be unlawful for any person, having taken the legal
4 limit of deer by bow and arrow, to further participate with bow
5 and arrow in any deer hunting party.

6 The Department may prohibit upland game hunting during the
7 gun deer season by administrative rule.

8 The Department shall not limit the number of non-resident,
9 either-sex archery deer hunting permits to less than 20,000.

10 Any person who violates any of the provisions of this
11 Section, including administrative rules, shall be guilty of a
12 Class B misdemeanor.

13 For the purposes of calculating acreage under this Section,
14 the Department shall, after determining the total acreage of
15 the applicable tract or tracts of land, round remaining
16 fractional portions of an acre greater than or equal to half of
17 an acre up to the next whole acre.

18 For the purposes of taking white-tailed deer, nothing in
19 this Section shall be construed to prevent the manipulation,
20 including mowing or cutting, of standing crops as a normal
21 agricultural or soil stabilization practice, food plots, or
22 normal agricultural practices, including planting, harvesting,
23 and maintenance such as cultivating or the use of products
24 designed for scent only and not capable of ingestion, solid or
25 liquid, placed or scattered, in such a manner as to attract or
26 lure deer. Such manipulation for the purpose of taking

1 white-tailed deer may be further modified by administrative
2 rule.

3 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
4 101-81, eff. 7-12-19.)

5 (Text of Section after amendment by P.A. 101-444)

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7 take deer shall first obtain a "Deer Hunting Permit" issued by
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18 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
19 provided below for non-resident landowners and non-resident
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21 provide for a non-resident archery deer permit consisting of
22 not more than 2 harvest tags at a total cost not to exceed \$325
23 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
24 fees for a youth resident and non-resident archery deer permit
25 shall be the same.

1 The Department shall create a pilot program during the
2 special 3-day, youth-only deer hunting season to allow for
3 youth deer hunting permits that are valid statewide, excluding
4 those counties or portions of counties closed to firearm deer
5 hunting. During this special 3-day, youth-only firearm deer
6 hunting season, one day of the 3 days shall be reserved for
7 children with disabilities on the condition that their
8 respective disabilities do not prevent them from hunting in a
9 manner that is safe to themselves and others. The one day
10 youth-only firearm deer hunting season reserved for children
11 with disabilities shall apply to all counties located in the
12 State. For the purposes of this Section, "children with
13 disabilities" means a "child with a disability" as defined by
14 the federal Individuals with Disabilities Education
15 Improvement Act of 2004. The Department shall adopt rules to
16 implement the pilot program. Nothing in this paragraph shall be
17 construed to prohibit the Department from issuing Special Hunt
18 Area Permits for the youth-only deer hunting season or
19 establishing, through administrative rule, additional
20 requirements pertaining to the youth-only deer hunting season
21 on Department-owned or Department-managed sites, including
22 site-specific quotas or drawings. The provisions of this
23 paragraph are inoperative on and after January 1, 2023.

24 The standards and specifications for use of guns and bow
25 and arrow for deer hunting shall be established by
26 administrative rule.

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2 authorized by administrative rule for a specific hunting season
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22 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
23 101-81, eff. 7-12-19; 101-444, eff. 6-1-20.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

6 Section 99. Effective date. This Act takes effect June 1,
7 2020.